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| <p>STATE OF SOUTH CAROLINA,</p> <p>Plaintiff,</p> <p>VS.</p> <p>CHI MEI OPTOELECTRONICS CORP., CHI MEI INNOLUX CORP., CHI MEI OPTOELECTRONICS USA, INC., CHUNGHWA PICTURE TUBES, LTD., HANNSTAR DISPLAY CORP., SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC., SAMSUNG SEMICONDUCTOR, INC.,</p> <p>Defendants</p> | <p>Civil Action No.: 3:12-cv-01776-JFA</p> <p><u>CONSENT INITIAL SCHEDULING ORDER</u></p> |
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The current deadline for Removing Defendants to respond to the Complaint is July 5, 2102, seven days after removal. Fed. R. Civ. P. 81(c)(2).

In February 2011, the State brought two related cases against different defendants, on the same alleged facts, in the Richland County Court of Common Pleas. *See South Carolina v. LG Display Co., Ltd.*, No. 3:11-cv-729-JFA, ECF No. 1, Ex. A (state court documents); *South Carolina v. AU Optronics Corp.*, No. 3:11-cv-731-JFA, ECF No. 1, Ex. A (state court documents). This

Court's rulings remanding both cases are currently pending before the United States Court of Appeals for the Fourth Circuit. See *AU Optronics Corp. v. South Carolina*, ECF No. 11-254 (4th Cir.); *LG Display Co. v. South Carolina*, ECF No. 11-255 (4th Cir.).

Although Plaintiff plans to move to remand this case to state court, Plaintiff and Removing Defendants agree to stay this action pending the Fourth Circuit's decision in the cases currently pending in the Fourth Circuit after the motion to remand is filed. Indeed, Plaintiff and Removing Defendants agree that the Fourth Circuit's decision will be dispositive as to whether the case is removable and do not intend to re-litigate a motion to remand in this Court. Therefore, the Removing Defendants agree that they will not contest a motion to remand if the Fourth Circuit affirms this Court's rulings remanding the two cases currently pending before the Fourth Circuit and/or if the Fourth Circuit denies the pending requests for permission to appeal in those cases.

Thus, although Removing Defendants expect to move to dismiss the Complaint, there is no reason to require Removing Defendants to file and brief that motion until it is clear which court will have jurisdiction over that motion. Indeed, this Court will not be in a position to rule on defendants' expected motion to dismiss until the Fourth Circuit appeal is resolved.

For these reasons, on Removing Defendants' motion and with Plaintiff's consent, this Court enters the following initial scheduling order, which it will amend once there is a final resolution of the Plaintiff's expected motion to remand:

1. The deadline for the Removing Defendants to respond to the Complaint shall be ninety days after the earlier of (a) the date on which there is a final ruling from the Fourth Circuit Court of Appeals on this Court's remand rulings in *South Carolina v. LG Display Co., Ltd.*, No. 3:11-cv-729-JFA and *South Carolina v. AU Optronics Corp.*, No. 3:11-cv-731-JFA, (b) the date on which Plaintiff files a declaration that it will not move to remand this case, or (c) if plaintiff has not

moved to remand, the expiration of the thirty day period set forth in 28 U.S.C. § 1447(c).

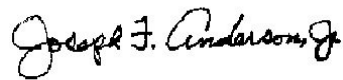
2. Plaintiff shall have thirty days to respond to any motion to dismiss the complaint filed by Removing Defendants.

3. Thereafter, the Removing Defendants shall have twenty days to reply to any opposition to the motion to dismiss that Plaintiff may file.

4. This Order does not apply to Hannstar Display Corp. and Chunghwa Picture Tubes, Ltd. No proceedings, including anything related to service of process, against these Defendants are stayed at this time

IT IS SO ORDERED.

June 29, 2012
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge